



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 18 2011

REPLY TO THE ATTENTION OF

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Kroush
Stationary Engineer/Assistant Chief
Jacksonville Developmental Center
1201 South Main Street
Jacksonville, Illinois 62650

Re: Finding of Violation issued to Jacksonville Developmental Center

Dear Mr. Kroush:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Jacksonville Developmental Center (you) under Section 113(a)(3), 42 U.S.C. § 7413(a)(3), of the Clean Air Act (the Act). We find that you have violated the Title V Permit Program requirements of the Act at 42 U.S.C. §§ 7661a-7661f, and the implementing regulations at 40 C.F.R. Part 70 at your facility located at 1201 South Main Street, Jacksonville, Illinois.

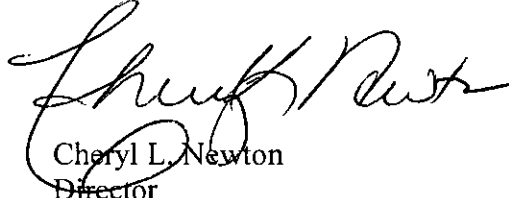
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Michelle Heger. You may call her at 312-886-4510 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Newton", is written over the printed name and title.

Cheryl L. Newton
Director

Air and Radiation Division

Enclosure

cc: Ray Pilapil, Manager
Bureau of Air, Compliance and Enforcement Section
Illinois Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Jacksonville Developmental Center
Jacksonville, Illinois

Proceedings Pursuant to
Section 113(a)(3) of the
Clean Air Act, 42 U.S.C.
§ 7413(a)(3)

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FINDING OF VIOLATION

EPA-5-11-IL-12

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Finding of Violation under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). EPA finds that Jacksonville Developmental Center is violating the Title V Permit Program requirements of the Act at 42 U.S.C. 42 U.S.C. §§ 7661a-7661f, and the implementing regulations at 40 C.F.R. Part 70 as follows:

Statutory and Regulatory Background

Title V

1. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V permit.
2. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of Title V of the CAA, or any rule promulgated, issued or approved under Title V of the CAA.
3. On March 7, 1995, U.S. EPA promulgated interim approval of the Illinois Title V program. 60 Fed. Reg. 12478. On December 4, 2001, U.S. EPA promulgated final approval of the Illinois Title V program. 66 Fed. Reg. 62946. The program became effective on November 30, 2001.

Jacksonville Developmental Center Title V Permit

4. On August 24, 2004, the Illinois Environmental Protection Agency (Illinois EPA), issued Title V permit number 95080064 (Title V Permit) to the Jacksonville Developmental Center. The Title V Permit expiration date is August 24, 2009.

5. Section 5.5 of Jacksonville Developmental Center's Title V permit establishes overall source emission limits, determined by adding emissions from all emission units and determined on a calendar year basis. Condition 5.5.1 states that the overall source emissions must not exceed 84.46 tons per year of particulate matter (PM). Permit Condition 7.1.6 reiterates the source wide emission limitations as stated in Condition 5.5.
6. Section 7.1.1 of Jacksonville Developmental Center's Title V permit specifies that Boiler #2 may be used only for emergency standby use only. Similarly, Permit Condition 7.1.5(c) of states that Boiler #2 may be used only during emergency situations and for the purpose of this condition, "emergency" shall be defined as an unavoidable shortage or loss of needed steam capacity from the other three boilers (i.e. Boilers #1, 3, and 4).
7. Section 7.1.10(a) of Jacksonville Developmental Center's Title V permit states that the facility must submit monthly coal analysis each quarter, and within 45 days of the ending quarter, that at least includes the bituminous coal sulfur content (weight percent), heat content, and amount of coal burned.
8. Section 9.14 of Jacksonville Developmental Center's Title V permit states that the Jacksonville must submit a renewal application no later than 9 and no sooner than 12 months prior to expiration.

Jacksonville Developmental Center Facility

9. The Jacksonville Developmental Center facility (the facility) at 1201 South Main Street, Jacksonville, Illinois 62650 is owned and operated by the Illinois Department of Human Services.
10. The facility is a hospital steam and electrical generating plant and operates four coal-fired boilers that produce steam for heating and electricity.
11. Jacksonville Developmental Center is a "person," as that term is defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).
12. Jacksonville Developmental Center owns and operates four bituminous coal fired boilers at the Jacksonville facility (Boilers #1, #2, #3, and #4).
13. Boiler #1 was constructed in 1968 and has a heat input rating of 38.7 mmBtu/hour. The boiler has a nominal capacity of 40,000 pounds of coal per hour. The boiler's emissions are controlled by a multi-clone.
14. Boiler #2 was constructed in 1946 and has a heat input rating of 34 mmBtu/hour. The boiler has a nominal capacity of 35,000 pounds of coal per hour. Boiler #2 does not have associated emission control equipment.

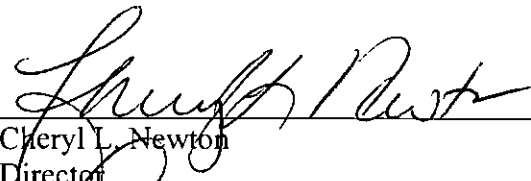
15. Boiler #3 was constructed in 1946 and has a heat input rating of 34 mmBtu/hour. The boiler has a nominal capacity of 35,000 pounds of coal per hour. The boiler's emissions are controlled by a multi-clone.
16. Boiler #4 was constructed in 1946 and has a heat input rating of 34 mmBtu/hour. The boiler has a nominal capacity of 35,000 pounds of coal per hour. The boiler's emissions are controlled by a multi-clone.

Violations

17. From at least January 2007 to December 2007, the Jacksonville facility operated Boiler #2 in excess of 5400 hours; and from at least January 2008 to December 2008, operated Boiler #2 in excess of 8500 hours, in violation of Conditions 7.1.1 and 7.1.5(c) of its Title V permit.
18. From at least January 2008 to December 2009, the Jacksonville facility calculated PM10 and PM 2.5 emissions for uncontrolled Boiler #2 using the AP-42 Emission Factor for a controlled unit in violation of Title V Permit Condition 7.1.12(e).
19. Jacksonville Developmental Center failed to correctly determine the facility's emissions according to the compliance procedures specified in Title V Permit Condition 7.1.12(e).
20. From at least January 2008 to December 2009, the facility was in violation of the PM tons/year limit under Conditions 5.5.1 and 7.1.6 of the Title V Permit. The highest exceedance reported was 100.88 tons/year.
21. As of November 28, 2009, Jacksonville Developmental Center had failed to submit its Title V Permit renewal application as required in Title V Permit Condition 9.14.
22. Since at least 2003, the Jacksonville facility has not submitted quarterly coal analysis reports as required under Title V Permit Condition 7.1.10(a).
23. The Jacksonville Developmental Center's operation in violation of its Title V permit constitutes a violation of Section 502 of the CAA and of 40 C.F.R. § 70.7(b).

Date

4/18/11


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-11-IL-12, by

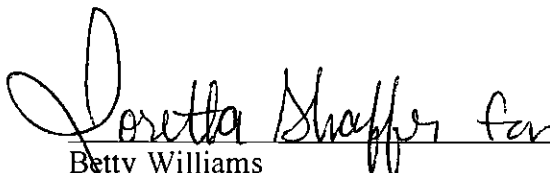
Certified Mail, Return Receipt Requested, to:

John Kroush
Stationary Engineer/Assistant Chief
Jacksonville Developmental Center
1201 South Main Street
Jacksonville, Illinois 62650

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Ray Pilapil, Manager
Bureau of Air
Compliance and Enforcement Section
Illinois Environmental Protection Agency
1021 North Grand Avenue East

On the 18 day of April 2011.


Betty Williams
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0192 0140